

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

\_\_\_\_\_  
JAMES J. YOUNG, III,  
Plaintiff

v.

PALEX, INC.,  
Defendant  
\_\_\_\_\_

)  
)  
)  
) CIVIL ACTION  
) NO. 99-11228-REK  
)  
)  
)  
)

Memorandum and Order  
March 3, 2000

**I.**

Pending for decision is Plaintiff's Motion to Compel Answers to Interrogatories and Responses to Request for Production of Documents from Palex, Inc. (Docket No. 12, filed January 3, 2000), with Memorandum of Law in Support (Docket No. 13, filed January 3, 2000). Defendant has filed Opposition (Docket No. 16, filed February 7, 2000).

**II.**

Defendant's Opposition asserts that the Plaintiff's Motion to Compel is moot because defendant served its answers to the Motion to compel on February 1, 2000. Defendant fails, however, to support this assertion by a showing that it was not inexcusably late and by showing also that it has fully and fairly answered. For these reasons, the assertion that Plaintiff's

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Motion to Compel is moot is not supported on the record before me.

**ORDER**

For the foregoing reasons, it is ORDERED:

(1) The parties are directed to confer in a good faith and reasonable effort to resolve any dispute over compliance with Plaintiff's Motion to Compel and report to the court, on or before March 24, 2000, whether all issues in dispute have been resolved.

(2) An ADR conference before Judge Mazzone having been scheduled for April 20, 2000 (Docket No. 17), the next Case Management Conference before the undersigned judge is set for May 3, 2000, at 3:00 p.m.

A handwritten signature in cursive script, appearing to read "Robert E. Kertan", is written over a horizontal line.

United States District Judge